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Attorneys for Plaintiff
MARSH & MCLENNAN AGENCY, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MARSH & MCLENNAN AGENCY, LLC, a
Delaware limited liability company,

Plaintiff,

v.

TEROS ADVISORS, LLC, a California limited
liability company,

Defendant.

Case No. 4:20-cv-02679-HSG

**STIPULATION BY PLAINTIFF MARSH
& MCLENNAN AGENCY, LLC AND
DEFENDANT TEROS ADVISORS, LLC
TO CONTINUE AUGUST 4, 2020, CASE
MANAGEMENT CONFERENCE FOR 60
DAYS; [~~PROPOSED~~] ORDER**

[Civ. L.R. 6-1, 6-2, 16-2]

Complaint Filed: April 17, 2020
Trial Date: Not Set

1 LAWRENCE HECIMOVICH (State Bar No. 129688)
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2 MOUND COTTON WOLLAN & GREENGRASS, LLP
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3 Emeryville, CA 94608
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6 Attorneys for Defendant
TEROS ADVISORS, LLC
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1 This Stipulation is made by and between Plaintiff Marsh & McLennan Agency, LLC
 2 (hereinafter “MMA” or “Plaintiff”) and Defendant Teros Advisors, LLC (hereinafter “Teros” or
 3 “Defendant”), through their respective counsel of record, pursuant to Civil L.R. 6-1, Civil L.R. 6-2,
 4 and Civil L.R. 16-2(d) with reference to the following facts:

5 WHEREAS, MMA filed its Complaint on April 17, 2020. The Complaint names one
 6 defendant, Teros.

7 WHEREAS, after the Complaint was filed, MMA took steps to have the Summons and
 8 Complaint served on Teros’ registered agent for service of process.

9 WHEREAS, MMA was unable to serve the Summons and Complaint because the
 10 office for Teros’ registered agent for service of process was closed due to Covid 19.

11 WHEREAS, because it had been unable to serve Teros, on about June 17, 2020, MMA
 12 filed an *ex parte* application to serve the Summons and Complaint on California’s Secretary of State.

13 WHEREAS, on July 9, 2020, Teros counsel, Mr. Barry Temkin, Esq. (email -
 14 BTemkin@moundcotton.com) and Mr. Larry Q. Hecimovich, Esq. (email -
 15 LHecimovich@moundcotton.com) of the law firm Mound Cotton Wollan & Greengrass, LLP, 2200
 16 Powell Street, Suite 1050, Emeryville, CA 94608, telephone number (510) 900-9371; facsimile (510)
 17 900-9381 contacted MMA’s counsel and stated that they had been authorized to accept service of the
 18 Summons and Complaint in this matter pursuant to Waiver of the Service of Summons procedure
 19 under Northern District of California rules.

20 WHEREAS, MMA served the Summons, Complaint and associated case specific
 21 documents along with the Waiver form on Mr. Temkin and Mr. Hecimovich on July 10, 2020. Mr.
 22 Hecimovich signed the Waiver on July 10, 2020.

23 WHEREAS, pursuant to the waiver procedures, Teros’ response to the Complaint is
 24 due September 8, 2020.

25 WHEREAS, MMA has filed a request that its *ex parte* application be withdrawn due
 26 to Teros’ agreeing to the waiver of service of the Summons and Complaint.

27 WHEREAS, this Court currently has a case management conference set for July 21,
 28 2020, at 2:00 p.m. (to discuss MMA’s *ex parte* application) and an initial case management conference

1 set for August 4, 2020 at 2:00 p.m.

2 WHEREAS, because the Summons and Complaint have recently been served on Teros
3 and because Teros' deadline to respond to the Complaint is currently September 8, 2020, the Parties
4 have met and conferred and agreed that it would be in the best interests of the Parties, and would
5 conserve the resources of the Court, to continue the August 4, 2020 case management conference for
6 60 days from August 4, 2020.

7 WHEREFORE, the Parties enter into this Stipulation respectfully seeking an Order to
8 continuing the August 4, 2020, case management conference and associated deadlines for a period of
9 60 days, or as soon thereafter as the Court's calendar permits.

10 **IT SO STIPULATED.**

11 Respectfully submitted.

12 Dated: July 15, 2020

13
14 /s/ Benjamin A. Emmert
15 BENJAMIN A. EMMERT
16 LITTLER MENDELSON, P.C.
17 Attorneys for Plaintiff
18 MARSH & MCLENNAN AGENCY, LLC

19 Dated: July 15, 2020

20 /s/ Lawrence Hecimovich
21 LAWRENCE HECIMOVICH
22 MOUND COTTON WOLLAN &
23 GREENGRASS, LLP
24 Attorneys for Defendant
25 Teros Advisors, LLC

[Proposed] ORDER

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED:

The August 4 2020, case management conference and associated deadlines is continued to October 6, 2020 at 2:00 p.m. The parties shall file a Joint Case Management Statement by noon on September 29, 2020.

Dated: 7/16/2020



Hon. Haywood S. Gilliam, Jr.
United States District Court Judge

4836-1976-0322.1 059121.1107